

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

vs

PEDRO RAUL GONZALEZ
a/k/a PEDRO GONZALEZ
a/k/a CHRISTIAN FAUSTINO PENALO
RODRIGUEZ

Defendant

CRIMINAL 05-0185CCC

O R D E R

The Sentencing Memorandum filed by defendant Pedro Raúl González on January 31, 2006 (**docket entry 30**) is NOTED. The requests contained therein for a non-guideline sentence or a downward departure are DENIED. The offense for which defendant stands convicted, illegal re-entry after deportation subsequent to a felony conviction, has a statutory maximum term of imprisonment of twenty (20) years, while the advisory guideline sentencing range is 41 to 51 months. Having considered all the relevant sentencing factors established in 18 U.S.C. §3553(a), we find that a sentence anywhere within this range would be reasonable. Defendant's history and characteristics, standing alone, do not justify a sentence below this range as he claims, particularly given the need to promote respect for the law and deterrence. Nor is defendant's criminal history over-represented to justify a downward departure.

SO ORDERED.

At San Juan, Puerto Rico, on January 31, 2006.

S/CARMEN CONSUELO CEREZO
United States District Judge